

Application No. 10/609,495

REMARKS

Claims 1-11 are pending in this application. By this Amendment, claims 1 and 3 are amended and claim 11 is added. Support for the claimed features are found in the specification at least at paragraphs [0022] and [0094]. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

I. The Rejection Under 35 U.S.C. §103(a)

The Office Action rejects claims 1-10 under 35 U.S.C. §103(a) over JPA2001-305552 to Shuichi in view of U.S. Patent 6,166,848 to Cammenga et al. ("Cammenga"). This rejection is respectfully traversed.

Shuichi does not teach, disclose or suggest "pole-like spacers having a sectional curvature shape with no acute angle provided on at least one of the pair of substrates," as recited in claim 1; and "the pole-like spacers having an elliptic shape with no acute angle in cross-section," as recited in claim 3. Cammenga does not cure the deficiencies of Shuichi.

Shuichi shows in Fig. 10 various pillar-shaped spacers 202 disclosed as having acute-angle/vertical angle, paragraph [0062]. In contrast, claims 1 and 3 recite pole-like spacers of either a curved or elliptical shape having no acute angle.

Cammenga discloses a seal member machined to a predetermined thickness 116i (col. 19, lines 56-65; Fig. 6). However, Cammenga's seal member is not disclosed as a pole-like spacer. Instead, the seal member is consistently shown in various embodiments as a peripheral sealing barrier. In contrast, claims 1 and 3 recite pole-like spacers having no acute angle. Accordingly, Cammenga does not cure the deficiencies of Shuichi.

Regarding claim 11, Shuichi does not teach, disclose or suggest "a light-shielding film formed on the counter substrate; and pole-like spacers formed by a part of the light-shielding film," as recited in claim 11. As shown in Fig. 11a of the present application, a pole-like

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spacer 401' is formed using a light-shielding film 23 on the counter substrate 20 (specification at paragraph [0094]). Shuichi does not teach, disclose or suggest the newly claimed feature of the pole-like spacers formed by a part of the light-shielding film formed on the counter substrate. Cammenga does not cure the deficiencies of Shuichi.

Shuichi merely discloses at least one substrate has a plurality of columnar spacers which the each part abuts on the opposite substrate; and Cammenga merely discloses "curing the first portion of seal member and machining it to a predetermined thickness" (col. 19, lines 60-65). In contrast, claim 11 recites a light-shielding film formed on the counter substrate and pole-like spacers formed by a part of the light-shielding film.

Accordingly, claims 1, 3 and 11 would not have been rendered obvious by Shuichi in view of Cammenga. Claims 2 and 4-10 depend from claim 1, and thus, claims 2 and 4-10 also would not have been rendered obvious by Shuichi in view of Cammenga. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-11 are earnestly solicited.

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Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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